



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

OK

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,815	10/29/2003	John Trezza	4024-4043	9556
27123	7590	10/06/2006		EXAMINER
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101				NGUYEN, PHILLIP
			ART UNIT	PAPER NUMBER
			2828	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Notice of Non-Compliant Amendment (37 CFR 1.121)</b>	Application No.	Applicant(s)	
	Examiner <i>10-697,815</i>	Art Unit	
<p>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</p> <p>The amendment document filed on <u>9.28.06</u> is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.</p> <p>THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 1. Amendments to the specification:             <ul style="list-style-type: none"> <li><input type="checkbox"/> A. Amended paragraph(s) do not include markings.</li> <li><input type="checkbox"/> B. New paragraph(s) should not be underlined.</li> <li><input type="checkbox"/> C. Other _____</li> </ul> </li> <li><input type="checkbox"/> 2. Abstract:             <ul style="list-style-type: none"> <li><input type="checkbox"/> A. Not presented on a separate sheet. 37 CFR 1.72.</li> <li><input type="checkbox"/> B. Other _____</li> </ul> </li> <li><input type="checkbox"/> 3. Amendments to the drawings:             <ul style="list-style-type: none"> <li><input type="checkbox"/> A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).</li> <li><input type="checkbox"/> B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.</li> <li><input type="checkbox"/> C. Other _____</li> </ul> </li> <li><input checked="" type="checkbox"/> 4. Amendments to the claims:             <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> A. A complete listing of all of the claims is not present.</li> <li><input type="checkbox"/> B. The listing of claims does not include the text of all pending claims (including withdrawn claims)</li> <li><input type="checkbox"/> C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).</li> <li><input type="checkbox"/> D. The claims of this amendment paper have not been presented in ascending numerical order.</li> <li><input type="checkbox"/> E. Other: _____</li> </ul> </li> <li><input type="checkbox"/> 5. The amendment is unsigned or not signed in accordance with 37 CFR 1.4.</li> </ul> <p>For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <a href="http://www.uspto.gov/web/offices/pac/dapp/opla/preoqnotice/officeflyer.pdf">http://www.uspto.gov/web/offices/pac/dapp/opla/preoqnotice/officeflyer.pdf</a>.</p> <p>TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:</p> <ol style="list-style-type: none"> <li>1. Applicant is given <b>no new time period</b> if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the <b>entire corrected amendment</b> must be resubmitted within the time period set forth in the final Office action.</li> <li>2. Applicant is given <b>one month</b>, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the <b>corrected section</b> of the non-compliant amendment in compliance with 37 CFR 1.121 or 1.4, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.</li> </ol> <p><b>Extensions of time</b> are available under 37 CFR 1.136(a) <b>only</b> if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.</p> <p><b>Failure to timely respond</b> to this notice will result in:</p> <p style="margin-left: 20px;"><b>Abandonment</b> of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or</p> <p style="margin-left: 20px;"><b>Non-entry</b> of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.</p> <p style="margin-left: 20px;"><i>Theresa Hawkins</i></p> <p style="margin-left: 20px;">Legal Instruments Examiner (LIE)</p> <p style="margin-left: 600px;"><i>571-272-1567</i></p> <p style="margin-left: 600px;">Telephone No.</p>			